### **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sol inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

4-FLUORO-N-INDAN-2-YL	BENZAMIDE AND ITS USE AS	A PHARMACEUTICAL

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the specification ☐ is attached a ☑ was filed on I ☐ PCT Internati		States	Application Serial and was amende	Nod on	or (if ap	pplicable).	
	reviewed and understand the nt referred to above. I acknow 6.						
inventor's certificate or § 36 6***tes, listed below and har	onty benefits under 35 U.S.C. 5(a) of any PCT international ve also identified below, any fo having a filing date before tha	applica preign	ation(s) designating application(s) for p	g at least one patent or inve	country of ntor's certi	ther than the U ficate, or any P	nited
Country	Application Number	[ ]	Date of Filing	Priority (	laimed Ur	nder 35 U.S.C.	119
Europe	01 102 852.9	Feb	nuary 13, 2001	×	YES	□ NO	
					YES	□ NO	
I hereby claim the benefi	t under 35 U.S.C. § 119(e) of	any Ur	nited States provisi	ional applicat	ion(s) liste	d below:	
Appli	cation Number	· · · · · · · · · · · · · · · · · · ·		Date	of Filing		
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 () § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing c. of this application:							
Application Nun	nber D	ate of	Filing	Status (P	atented, P	ending, Aband	oned)
				<u>-</u>		<del></del>	
<u> </u>							

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV. Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,963; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220;

Page 1 of 3

January 2002

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Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., 1300 | Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

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Page 2 of 3

January 2002

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#### 4-FLUORO-N-INDAN-2-YL BENZAMIDE AND ITS USE AS , PHARMACEUTICAL

	cation Serial I		or (if ap	oplicable).	
				cluding the clain aterial to patent	
application(soreign applic	) designating	at least one tent or inve	country of	on(s) for patent on ther than the Unificate, or any PC	ited
Date o	f Filing	Priority (	Claimed Ur	der 35 U.S.C. 1	19
February '	3, 2001	×	YES	□ NO	
1			YES	□ NO	
any United S	tates provisio		of Filing	d below:	
and, insofar PCT Internati disclose info	as the subject onal application ormation which	ct matter of on(s) in the h is material	each of the manner pro I to patents	PCT Internation a claims of this ovided by the finability as defined PCT Internation	st I in 3'
Date of Filing		Status (P	atented, P	ending, Abando	ned)
_					to prosecute this application and transact all business in the Pa

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Customer Number 22,852 Altomey Docket No. 04734,0002

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the specification of ☐ is attached and ☑ was filed on Fe ☐ PCT Internation		States Application	on Serial amende	l No. 10/073	,330 or (if app	plicable	a).
	eviewed and understand the creferred to above. I acknowle						
nventor's certificate or § 3656 States, listed below and have	ity benefits under 35 U.S.C. (a) of any PCT international as also identified below, any foaving a filing date before that	ipplication(s) de reign applicatio	esignatin n(s) for p	g at least one patent or inver	country of itor's certifi	her tha icate, c	in the United
Country	Application Number	Date of Fi	ling	Priority C	laimed Un	der 35	U.S.C. 119
Europe	01 102 852.9	February 13,	2001	×	YES		NO
					YEŞ		NO
I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:							
Applica	ation Number		<del></del>	Date	of Filing		
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application(s) designating the application is not disclosed it	under 35 U.S.C. § 120 of any e United States, listed below n the prior United States or P 2, I acknowledge the duty to	and, insofar as CT Internations	the subj al applica	ject matter of e stion(s) in the	each of the manner pro	claims ovided	s of this by the first

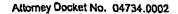
CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number

Date of Filing

Status (Patented, Pending, Abandoned)

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